

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RUTHELLEN HARRIS, et al.,

No. C-10-04626 DMR

Plaintiffs,

**ORDER VACATING HEARING ON
DEFENDANT'S MOTION TO DISMISS
PENDING CONSENT TO
JURISDICTION OF MAGISTRATE
JUDGE**

v.

COSTCO WHOLESALE CORP., et al.,

Defendants.

On November 29, 2010, Defendant Costco Wholesale Corporation ("Costco"), filed a Motion to Dismiss Plaintiffs' Second Cause of Action ("Motion to Dismiss"), pursuant to Federal Rule of Civil Procedure 12(b)(6). *See* Docket No. 8. Defendant Costco noticed a hearing on the Motion to Dismiss for January 13, 2011 at 11:00 a.m.

Pursuant to 28 U.S.C. § 636, a signed consent to the jurisdiction of the Magistrate Judge must be filed by each party before consideration of any dispositive motion. All parties in the above-captioned case have not filed a signed consent to proceed before a Magistrate Judge. Accordingly, the hearing on Defendant Costco's Motion to Dismiss set for January 13, 2011 at 11:00 a.m. is hereby VACATED. Upon the filing of signed consents by all parties to the action, the Court will issue an order resetting the hearing. If a declination is filed, the case will be immediately reassigned to an Article III District Judge.

IT IS SO ORDERED.

Dated: November 30, 2010

DONNA M. RYU
Judge Donna M. Ryu
United States Magistrate Judge

